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JOHNSTON ZONING BOARD OF REVIEW
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MINUTES

May 30, 2012

The Zoning Board of Review held its monthly meeting on the 30th day of May 2013 at 7:00 p.m., at the Johnston Senior Center, 1291 Hartford Avenue, Johnston, RI. All persons interested in the following proposals had been requested to be present at this time.

Present: Bernard Frezza, Chairman, Anthony Piloizzi, Vice-Chairman, Joseph Anzelone, Albert Colannino, Thomas Lopardo and Dennis Cardillo. Also present: Joseph Ballirano, Esq. and Karen Ceseretti, Stenographer.

Mr. Piloizzi made a motion to approve last months minutes. Mr. Anzelone seconded. A voice vote was taken; all in favor.

Mr. Frezza explained to everyone that JKL Learners submitted a letter for a continuance. Mr. Garrity, attorney for one of the abutters explained to the board that between his schedule and Mr. Lombardi's schedule for the next couple of months they are asking to be placed on the July's agenda.

Mr. Piloizzi made a motion to continue this item to the July's agenda. Mr. Anzelone seconded. A voice vote was taken; all in favor

A. File 2011-07

LOCATION: 22 Atwells Avenue
OWNER/APPLICANT: Edward and Kathleen Bedrosian
LOT: AP 18 — Lot 151; 12,800 sq. ft.; R-15 Zone
EXISTING USE: Single Family Dwelling
PROPOSAL: Referral from Planning Board to Zoning Board for dimensional variances required to divide lot into two parcels. Project will return to Planning Board pending Zoning Board approval for subdivision. Parcel A will be 7,200 sq. ft.

Dimensional Variance petitioned under Article III, Section F, and Table III-F-1.

	DIMENSION	MINIMUM REQUIRED	PROPOSED	RELIEF REQUESTED
LOT:	— LOT SIZE	15,000'	7,200'	7,800'
	— FRONTAGE	100'	90'	10'
	— WIDTH	100'	90'	10'
	- COVERAGE	25%	25.7%	.7%
SETBACK:	— FRONT	25'	24'	1'
	— REAR	25'	24'	1'
	— LEFT	20'	7'	13'
	— RIGHT	20'	12'	8'

Note: Zoning Board approval of this project was recorded on 2-11-2011 which will expire on 6-30-2013. Applicant is requesting a year extension from 6-30-13.

Mr. Al Russo, attorney for the applicant, explained to the board that his client was granted an approval from the zoning board back in February of 2011 and he currently needs an extension through the tolling law.

Mr. Fascia made a motion to approve extension. Mr. Anzelone seconded. A voice vote was taken; all in favor

B. File 2013-12

LOCATION: 72-76 Putnam Avenue

OWNER: Luigi Properties LLC

APPLICANT: Luigi Micheli III

LOT: AP 39 — Lots 126, 129; 21,500 sq. ft.; R-15 Zone

EXISTING USE: Auto repair, accessories and reconditioning

PROPOSAL: Auto sales, repair, accessories and reconditioning

Special Use Permit petitioned under Article XII § 340-75 Special Use Permit, Article III §340-8 Table of Use Regulations, subsection 10.11

Mr. Frank Manni, attorney for the applicant, was sworn in and he handed the board a list of the businesses in the vicinity of 72 Putnam Pike.

Mr. Piloizzi made a motion accept the list of all the business as exhibit A. Mr. Anzelone seconded. A voice vote was taken; all in favor.

Mr. Manni explained to the board that his client already has a business license through the town for auto repair and reconditioning and he wants to add auto sales. There will be no changes to the building and the sale part will be located next door to his current business. Previously there was a gas station many years ago. The underground tanks have been removed so if granted he is all set.

Mr. Nick Veltri, surveyor for the applicant, was sworn in and he explained to the board that the structure that the attendant used to stay in when the gas station was opened will remain as well as the canopy over the area. The chain from post to post on Sherwood Place will remain so that there is no

ingress or egress from that side. The back of the property has to have a wood fence not a chain link because when commercial meets residential you need a solid fence separating the two.

Mrs. Fortune Falvo, abutter to the property, was sworn in and her concern is added traffic in and out of Sherwood Place also cars being parked up and down the street. Mr. Pilozzi explained to the abutter that a fence will be going up and since the bakery is closed the amount of traffic should be minimized.

Mrs. Cheryl Jackson, abutter to the property, was sworn in and she explained that she lives at 64 Ferrel Street and she reported some complaints to the building and minimum housing inspector about a big mound of dirt that has piled up over the past year and recently it has been leveled off and she is pleased with the outcome.

Mr. Frezza read a letter to everyone at the meeting from Ralph Scorpio from 89 Putnam Avenue because he was not able to attend. His concerns are that across from where he lives it is plagued by the Historical Society and with the amount of commercial activity on that street that it would amount to overkill.

Mr. Frezza made a motion to enter the letter for the abutter as exhibit B. Mr. Anzelone seconded. A voice vote was taken; all in favor.

Mr. Pilozzi made a motion to grant with the stipulations that the lights will coincide with the hours of operation, the dumpster will be enclosed and on the left side of property a six foot fence from Sherwood down to Rt. 44. Mr. Anzelone seconded. A voice vote was taken; all in favor.

C. File 2013-14

LOCATION: 11 Celebration Way
 OWNER/APPLICANT: Jason and Tanya Deanseris
 LOT: AP 48 — Lot 555; 14,713 sq. ft.; R-20 Zone
 EXISTING USE: Single Family Dwelling
 PROPOSAL: 28' x 38' Addition

Dimensional Variance petitioned under Article III, §340-9 Table of Dimensional Regulations

	DIMENSION	MINIMUM REQUIRED	PROPOSED	RELIEF REQUESTED
SETBACKS:	— RIGHT SIDE YARD	25'	16.9'	8.1'

Mr. Jason Deanseris, applicant was sworn in and he explained to the board that he would like to build an addition for his elderly in-laws. One bedroom, one bath and living space for additional space.

No abutters for or against.

Mr. Pilozzi made a motion to grant. Mr. Frezza and Mr. Anzelone seconded. A voice vote was taken; all in favor.

D. File 2013-15

LOCATION: 10 Nutmeg Drive
 OWNER/APPLICANT: Peter Morris and Heather Fagan
 LOT: AP 43 — Lot 349; 21,926 sq. ft.; R-40 Zone
 EXISTING USE: Single Family Dwelling
 PROPOSAL: 330 Sq Ft Deck

Dimensional Variance petitioned under Article V, § 340-25 Authorized departures from yard regulations, subsection C, Accessory Structures

	DIMENSION	MINIMUM REQUIRED	PROPOSED	RELIEF REQUESTED
SETBACKS:	— REAR YARD	75'	12'6"	62' 4"
	— RIGHT SIDE YARD	35"	12'	23'

Peter Morris, applicant was sworn in and he explained to the board that he would like to build a 330 square foot deck. He pulled permits for the deck that has been there from when he bought the house to make it legal and now he would like to add on to that existing deck.

No abutters for or against.

Mr. Piloizzi made a motion to grant. Mr. Anzelone seconded. A voice vote was taken; all in favor.

E. File 2013-16

LOCATION: 2207 Hartford Avenue
 OWNER/APPLICANT: Andre and Diane Vitale
 LOT: AP 54 — Lot 111; 37,570 sq. ft.; R-40 Zone
 EXISTING USE: Single Family Dwelling
 PROPOSAL: 20' x 31' Carport

Dimensional Variance petitioned under Article III, §340-9 Table of Dimensional Regulations

	DIMENSION	MINIMUM REQUIRED	PROPOSED	RELIEF REQUESTED
SETBACKS:	— LOT SIZE	40,000'	37,570'	2,430'
	— LOT FRONTAGE	140'	0'	140'
	— REAR YARD	75'	35'	40'

Mr. Al Russo, attorney for the applicant, was sworn in and he explained to the board that his client would like to place a carport in the backyard so that it would be easier for Mr. Vitale whom is handicap to get in and out of the van in inclement weather.

No abutters for or against.

Mr. Piloizzi made a motion to grant. Mr. Anzelone seconded. A voice vote was taken; all in favor.

F. File 2013-17

LOCATION: 5 Fairmount Avenue
 OWNER/APPLICANT: Lori A. Huddleston
 LOT: AP 16 — Lot 453; 4,699± sq. ft.; R-15 Zone
 EXISTING USE: Single Family Dwelling
 PROPOSAL: 10' x 12' Bedroom at rear of house

Dimensional Variance petitioned under Article III, §340-9 Table of Dimensional Regulations

	DIMENSION	MINIMUM REQUIRED	PROPOSED	RELIEF REQUESTED
SETBACKS:	— LOT SIZE	15,000'	4,699'	10,301'
	— LOT FRONTAGE	100'	50'	50'
	— LOT WIDTH	100'	50'	50'
	— REAR YARD	45'	41.5'	3.5'
	— LEFT SIDE YARD	20'	13'	7'

Lori Huddleston, applicant was sworn in and she explained to the board that she would like to build an additional bedroom for her daughter, since currently her home only has one bedroom. The daughter is sleeping in their bedroom and the parents are sleeping in the living room.

No abutters for or against.

Mr. Piloizzi made a motion to approve. Mr. Anzelone seconded. A voice vote was taken; all in favor.

G. File 2013-18

LOCATION: 19 Bishop Hill Road
 OWNER: Carol S. LaCourse
 APPLICANT: Michael Corsini
 LOT: AP 57 — Lot 47; 48,600± sq. ft.; R-40 Zone
 EXISTING USE: Vacant
 PROPOSAL: Single Family Dwelling

Dimensional Variance petitioned under Article III, §340-9 Table of Dimensional Regulations

	DIMENSION	MINIMUM REQUIRED	PROPOSED	RELIEF REQUESTED
SETBACKS:	— LOT FRONTAGE	140'	52.08'	87.92'

Mr. Al Russo, attorney for the applicant, explained to the board that they would like to build a single family dwelling on this vacant lot. Mr. Veltri explained to the board all about the dimensions of the lot

and the proposed home as well as the driveway and the easement that is attached to this property. The applicant is waiting for the ISDS approval from DEM pending upon the decision of the zoning board.

Mr. Michael Corsini, applicant, was sworn in and he explained to the board about who will be living in this house and how many bedrooms this home will contain. This home will contain four bedrooms and three and a half bathrooms. Mr. Pilozzi explained to the applicant that on Bishop Hill Road there are no homes with that many bedrooms and bathrooms.

Mr. Paul Caranci, real estate agent expert for the project, was sworn in and he explained to the board about his background. He has served eight years on the zoning board for North Providence and seventeen years on the North Providence Town Council.

Mr. Pilozzi made a motion to accept Mr. Caranci as a real estate agent on behalf of the applicant. Mr. Anzelone seconded. A voice vote was taken; all in favor.

Mr. Russo then directly examined Mr. Caranci regarding all the legal deed recordings and when the original owners had past away they left the lot to their son who in turn hired Mr. Caranci as his real estate agent.

Mr. Fascia asked the Mr. Corsini if he currently owns the lot and he explained that it is in purchase and sales so therefore he does not have an ownership/hardship at this point. Mr. Caranci explained that they have tried to put this piece of land on the market for quite some time and the current owner can not afford the taxes any longer. Mr. Caranci then went on by explaining to the board why they would need so many bedrooms and bathrooms. Mr. Ballirano explained that this is no the least amount of relief they are requesting because economic disability cannot be a hardship. Mr. Caranci replied that the applicant is asking for relief based on the fact to deny relief would deny them of the beneficial use of the property.

Margie Caranci, 26 East Avenue, North Providence, was sworn in and she explained that she is in favor of this project because this lot has been taxed as a buildable lot. She also stated that as times changed people started building bigger homes on that street and this proposal doesn't infringe on any of the minimum requirements. Mrs. Caranci believes that adding a four hundred thousand dollar house on that street will certainly improve the neighborhood and value of the neighborhood.

Mr. Charles Lang, 23 Bishop Hill Rd, was sworn in and he explained to the board that he lives across the street from these two under sized lots and he is disputing the amount of side yard that the applicant is claiming is there. Mr. Pilozzi explained that Mr. Veltri is the expert here and that he has all of the accurate measurements of the lot.

Mr. Manuel Bedoya, 7 Red Oak Drive, was sworn in and he explained to the board that he also disputes the survey markers that they are incorrect and he is also concerned with water problems that have affected him for a while.

Mrs. Patricia Iasome, 6 Caitlyn Drive, was sworn in and she explained that her concerns include the survey that was taken, the size of the proposed house and water run-off which has also been a problem for her for some time.

Mrs. June Barton, 27 Bishop Hill Road, was sworn in and her concerns are with the size of the proposed home and the amount of people living in that home along with the traffic that it is going to cause.

Ms. Linda Corsini, 63 Columbus Avenue, North Providence, was sworn in and she explained that she will be living in this proposed home and that nothing illegal will be going on at the residence if approved. She stated that if they were to change the lay out of the proposed home from one floor to two floors. Mr. Pilozzi explained that it would have to be a whole new application changing the footprint of the proposed house.

Mr. Pilozzi made a motion to deny. Mr. Anzelone seconded. Roll call was taken; denied four to one.

Mr. Cardillo	Aye
Mr. Anzelone	Aye
Mr. Pilozzi	Aye
Mr. Frezza	Aye
Mr. Lopardo	Nay

H. File 2013-13

LOCATION:	1383 Atwood Avenue
OWNER:	1383 Atwood Realty, LLC/Delmonico Ice Cream and Novelty
APPLICANT:	The Washington Trust Company
LOT:	AP 23 — Lots 75; 66,581 sq. ft.; B-2 Zone
EXISTING USE:	Restaurant and Bar
PROPOSAL:	Community Bank

Special Use Permit petitioned under Article XII § 340-75 Special Use Permit, Art XII § 340-27.2 Landscaping Design Standards (B) Buffering [2] and Art VIII § 340-43 Signs permitted in B Districts

Mr. Al Russo, attorney for the applicant explained to the board that the applicant would like to open a bank with a drive through window. Mr. Russo went over all the types of variances that they are asking for this evening including signage.

Mr. Russell J. Ferland, engineer on the project was sworn in and he explained to the board about the size of the building and where the drive through will be placed.

Mr. Pilozzi made a motion to accept Mr. Ferland as a qualified expert. Mr. Fascia seconded. A voice vote was taken; All in favor.

Mr. Ferland went over the parking spaces and how much land will be used for this renovation. The unused land in the back of the property will be landscaped with grass and trees. Mr. Ferland also went over the lighting in the parking lot and on the building itself as well as curb cyst and the approvals that will be needed.

Ms. Cynthia Gerlach, architect on the project, was sworn in and she explained to the board about the exterior look of the building and how to make this building look more “New England.”

She also spoke about the signage on the building and the freestanding sign that if granted will be placed and how high so that it will not obstruct traffic views when pulling in and out of the property.

Mr. Larry Orlando, Vice-President of building and facilities for Washington Trust Company, was sworn in and he gave the board a brief background of the banks history.

No abutters for or against.

Mr. Pilozzi made a motion to approve. Mr. Fascia seconded. A voice vote was taken; all in favor.

At the end of the meeting Mr. Wayne Shippee stood up and asked the board if he could kindly ask them a few questions. Mr. Shippee explained to the board that he owns the real estate and business located at 82 Shun Pike and he has been complaining about the gasification plant next door to his business. Mr. Pilozzi explained to Mr. Shippee that he needs to speak with Ben Nascenzi, Building/Zoning Official about the smell. Mr. Shippee explained to Mr. Pilozzi that he has been documenting all calls to Ben and when he has the awful smell in his garage. Mr. Fascia suggested that Mr. Shippee make formal complaints to Rhode Island Department of Environmental Air Quality.

Mr. Anzelone made a motion to adjourn. Mr. Frezza seconded the motion A voice vote was taken; all in favor.